

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA : PRELIMINARY ORDER OF  
- v. - : FORFEITURE/  
MICHAEL COHEN, : MONEY JUDGMENT  
Defendant. : 18 Cr. 602 (WHP)  
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- - - - - x

WHEREAS, on or about August 21, 2018, MICHAEL COHEN (the "defendant"), was charged in an Information, 18 Cr. 602 (WHP) (the "Information"), with evasion of assessment of income tax liability, in violation of 26 U.S.C. § 7201 (Counts One through Five); making false statements to a bank, in violation of 18 U.S.C. §§ 1014 and 2 (Count Six); causing an unlawful corporate contribution, in violation of 52 U.S.C. §§ 30118(a) and 30109(d)(1)(A), and 18 U.S.C. § 2(b) (Count Seven); and making an excessive campaign contribution, in violation of §§ 30116(a)(1)(A), 30116(a)(7) and 30109(d)(1)(A), and 18 U.S.C. § 2(b) (Count Eight);

WHEREAS, the Information included a forfeiture allegation as to Count Six, seeking forfeiture to the United States, pursuant to 18 U.S.C. § 982(a)(2)(A), of any property constituting or derived from proceeds the defendant obtained directly or indirectly as a result of the offense alleged in Count Six;

WHEREAS, on or about August 21, 2018, the defendant pled guilty to Counts One through Eight of the Information pursuant to a plea agreement with the Government, wherein the defendant admitted the forfeiture allegation with respect to Count Six and agreed to forfeit to the United States any property constituting or derived from proceeds the defendant obtained directly or indirectly as a result of the commission of the offense alleged in Count Six;

WHEREAS, the Government asserts that \$500,000 in United States currency represents the amount of proceeds traceable to the offense charged in Count Six of the Information that the defendant personally obtained; and

WHEREAS, the Court finds that, as a result of acts and/or omissions of the defendant, to wit, the defendant's use or repayment of the funds he borrowed through the home equity line of credit referenced in Count Six of the Information, the proceeds traceable to the offense charged in Count Six of the Information that the defendant personally obtained have been transferred to a third party.

IT IS HEREBY ORDERED that:

1. As a result of the offense charged in Count Six of the Information, to which the defendant pled guilty, a money judgment in the amount of \$500,000 in United States currency (the

"Money Judgment"), representing the amount of proceeds traceable to the offense charged in Count Six of the Information that the defendant personally obtained, shall be entered against the defendant.

2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Preliminary Order of Forfeiture/Money Judgment is final as to the defendant, MICHAEL COHEN, and shall be deemed part of the sentence of the defendant, and shall be included in the judgment of conviction therewith.

3. All payments on the outstanding money judgment shall be made by postal money order, bank or certified check, made payable, in this instance, United States Marshals Service, and delivered by mail to the United States Attorney's Office, Southern District of New York, Attn: Money Laundering and Transnational Criminal Enterprises Unit, One St. Andrew's Plaza, New York, New York 10007 and shall indicate the defendant's name and case number.

4. The United States Marshals Service is authorized to deposit the payments on the Money Judgment in the Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

5. Pursuant to 21 U.S.C. § 853(p), the United States is authorized to seek forfeiture of substitute assets of the defendant up to the uncollected amount of the Money Judgment.

6. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas.

7. The Court shall retain jurisdiction to enforce this Preliminary Order of Forfeiture/Money Judgment, and to amend it as necessary, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure.

8. The Clerk of the Court shall forward three certified copies of this Preliminary Order of Forfeiture/Money Judgment to Assistant United States Attorney Alexander J. Wilson, Chief of the Money Laundering and Transnational Criminal Enterprises Unit, United States Attorney's Office, One St. Andrew's Plaza, New York, New York 10007.

SO ORDERED:

  
HONORABLE WILLIAM H. PAULEY, III  
UNITED STATES DISTRICT JUDGE

  
DATE